

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
) WT Docket No. 08-61
Draft Programmatic Environmental Assessment) WT Docket No. 03-187
of the Antenna Structure Registration Program)

COMMENTS OF APCO INTERNATIONAL

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in response to the Commission’s *Public Notice*, DA 11-1455 (August 26, 2011), in the above-captioned dockets concerning the Draft Programmatic Environmental Assessment (“Draft PEA”) regarding Antenna Structure Registration (“ASR”) procedures.¹

Founded in 1935, APCO is the nation’s oldest and largest public safety communications organization. Most APCO members are state or local government employees who manage and operate communications systems for police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO is the largest FCC-certified frequency coordinator for Part 90, Public Safety Pool channels, and appears regularly before the Commission on a wide range of public safety communications issues.

APCO urges the Commission not to adopt new procedures that might impose additional costs or delays in the ASR process. State and local government public safety agencies often file applications with the Commission for new or modified emergency radio communications facilities that involve obtaining a new ASR due to construction or modification of

¹ http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0826/DA-11-1455A2.pdf

communications towers.² Timely processing of such applications is essential for ongoing improvements to public safety radio system coverage, capacity, and interoperability. Adding unnecessary delay or expense to that application process must be avoided to ensure the deployment of effective communications for the protection of life, health and property.

APCO understands that the Commission is subject to a judicial mandate that it review its ASR process with regard to the potential impact of communications structures on migratory birds. However, as the Commission notes in the Draft PEA, communications towers have a nominal impact relative to other causes of migratory bird mortality.³ Therefore, any new ASR requirements must be balanced against the cost and delays that could be imposed on public safety agencies and other critical users of communications structures.

Of the alternatives presented in the Draft PEA, APCO favors Alternative 1, which would not add new Environmental Assessment (“EA”) requirements. Instead, the Federal Aviation Administration would modify certain of its tower lighting requirements to reduce the potential for migratory bird collisions with structures. To the extent any new EA requirements are imposed (Alternative 2 in the Draft PEA), those new requirements should apply only to towers in excess of 450 feet in height (Alternative 2, Option C in the Draft PEA).⁴ APCO opposes other options in the Draft PEA that would add new EA requirements to a wide range of towers registrations, as those requirements would impose substantial cost and delay on applicants without any significant public benefit.

² Public safety radio systems typically involve land mobile radio (Part 90) licenses and sometimes fixed microwave (Part 101) licenses.

³ Draft PEA at Section 6.4.4.

⁴ Public safety communications systems rarely use towers in excess of 450 feet.

CONCLUSION

Therefore, for the reasons set forth above, the Commission should not adopt new ASR procedures that would create new burdens for public safety agencies seeking new or modified radio communications facilities.

Respectfully submitted,

/s/

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